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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/683,392	12/20/2001	Thomas G. Malone	CARG.03P	9724	
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KENEHAN & LAMBERTSEN, LTD			EXAMINER		
SUITE 211-B			PASCUA, JES F		
LAS VEGAS, NV 89119-5154			ART UNIT	PAPER NUMBER	
			3727		
			DATE MAILED: 01/21/2003	DATE MAILED: 01/21/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Summare Just Ju		Application No.	Applicant(s)			
Jes F. Pascula 3727		09/683,392	MALONE ET AL.			
- The MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estamblished for many be available under the provisions of 2 CFR 1.136(a). In no event, however, may a righty be timely filled to the provision of	Office Action Summary	Examiner	Art Unit			
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provides of 37 cPt 1.15(pc). In no event, however, may a reply be timely filed after SX (5) MONTISS from the mailing date of this communication. If NO period for reply is specified above, the maximum attained paties of the part of the communication. Fellules for reply within the set or extended periods for reply will, by clatulary interiment of thirty (20) days will be considered intervy. If NO periods for reply is specified above, the maximum statistical provides the part and will explice (36) (40) MONTISS (40) MONTISS the mailtaining date of this communication, even if timely field, may reduce any Status 1) Responsive to communication(s) filled on 20 December 2001. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-22 is/are pending in the application. 4a) Of the above claim(s) is/are rejected. Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 8) Claim(s) 1-22 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The eath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Aknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) Aknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional						
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Application/Control Number: 09/683,392

Art Unit: 3727

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-14, drawn to an inflatable insulating bag, classified in class 383, subclass 3.
 - II. Claims 15-22, drawn to a method of forming an inflatable insulating panel, classified in class 156, subclass unknown.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make another and materially different product such as an inflatable cushion or mattress or the product as claimed can be made by another and materially different process such as sealing the peripheries of the sheetform layers prior to forming the array of alternating seams.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jes F. Pascua whose telephone number is 703-308-1153. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W. Young can be reached on 703-308-2572. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.

Jes F. Pascua Primary Examiner Art Unit 3727

JFP January 15, 2003